

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

**IN RE: BARTHOLOMEW JAMES
 MARTIN**

CHAPTER 13

DEBTOR(S)

CASE NO. 1:22-bk-01412

**BARTHOLOMEW JAMES
MARTIN**

MOVANT(S)

VS.

**BARTHOLOMEW JAMES
MARTIN,
and
JACK N. ZAHAROPOULOS,
STANDING CHAPTER 13
TRUSTEE**

RESPONDENT(S)

PROPOSED ORDER

UPON CONSIDERATION of the Motion to Sell Property of the Estate Pursuant to 11 U.S.C. 363(b), which was filed on January 12, 2024, a copy of Debtor's/Movant's Motion, Notice of Intent to Sell Property of the Estate Pursuant to 11 U.S.C. § 363(b), the Debtor's/Movant's Affidavit In Support of Motion to Sell Property of the Estate Pursuant to 11 U.S.C. § 363(b) and this Proposed Order were served upon Debtor, all Creditors scheduled in the instant bankruptcy case, the Chapter 13 Trustee, the United States Trustee, and any other parties of interest, the Court hereby finds the contemplated sale to be in good faith pursuant to 11 U.S.C. 363(m) and in accord with the standard elucidated by In re Abbotts Dairies of Pennsylvania, Inc., 61 B.R. 156 (Bankr. E.D. Pa. 1986). Upon such finding, the Court hereby orders the following:

1. Respondent(s) liens shall be paid in full from the closing proceeds pursuant to a proper payoff quotes furnished by Respondent(s) for each loan prior to, and valid through, the closing date or, in the alternative, any short payoff shall be approved by Respondent(s), or the sale will not occur.
2. Debtor shall have sixty (60) days from entry of this Order to consummate the contemplated sale.
3. Any other outstanding liens upon the property at the time of closing shall be paid in full.
4. Closing shall occur no later than sixty (60) days from the date of this Order and within thirty (30) days of the payoff quote's date or else a new payoff shall be required within thirty (30) days of closing.
5. Debtor shall commit all non-exempt sale proceeds which are required by the Bankruptcy Code to be committed to the Debtor's Chapter 13 Plan for the benefit of creditors and such non-exempt proceeds shall be paid directly to the Trustee from the closing.
6. Counsel for Debtor shall hold the \$1,000.00 attorney's fee in escrow pending Court approval of the fees pursuant to a fee application to be filed with this Court.

The Court finds that the Debtor's Motion is GRANTED. The Debtor is authorized to sell property of the estate pursuant the terms stated in the Motion.

IT IS SO ORDERED.
